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FILED IN THE
 UNITED STATES DISTRICT COURT
 DISTRICT OF HAWAII

APR 24 2014
 at 12 o'clock and 55 min. P.M.
 SUE BEITIA, CLERK

**CUSTOMER'S MOTION TO CHALLENGE GOVERNMENT'S ACCESS
 TO FINANCIAL RECORDS IN THE UNITED STATES
 DISTRICT COURT**

FOR THE HAWAII DISTRICT OF HAWAII
 (Name of District) (State In Which Court Is Located)

MICHAEL H. RICHARDS
 (Your Name)

Movant

V.

Department of Defense

Respondent

Miscellaneous No. **CV14 00201 SOM**
 (Will be filled in by
 Court Clerk) **MC14 00093 SOM** RLP

MOTION FOR ORDER PURSUANT
 TO CUSTOMER CHALLENGE
 PROVISIONS OF THE RIGHT TO
 FINANCIAL PRIVACY ACT
 OF 1978;

MICHAEL H. RICHARDS hereby move this Court pursuant to
 (Your Name)

Section 3410 of the Right to Financial Privacy Act of 1978, 12 United States Code 3401, et seq. for an order preventing the Government from obtaining access to my financial records. The agency seeking access is the Department of Defense.

My financial records are held by NAVY FEDERAL CREDIT UNION
 (Name of Institution)

In support of this motion, the Court is respectfully referred to my sworn statement filed with this motion.

Respectfully submitted,

[Signature]
 (Your Signature)

590 FARRINGTON AVE, 524-107
 (Your Address)
KAPOLEI, HI 96707

808-224-5969
 (Your Telephone Number)

**CUSTOMER'S SWORN STATEMENT FOR FILING A CHALLENGE
IN THE UNITED STATES DISTRICT COURT**

FOR THE: HAWAII DISTRICT COURT

DISTRICT OF: HAWAII

MICHAEL H. RICHARDS
Movant

) Miscellaneous No. _____

)

) SWORN STATEMENT OF MOVANT

)

V.

)

)

Department of Defense
Respondent

) FINANCIAL PRIVACY ACT OF 1978

)

MC 14-00093 SOM-RLP

~~CV14-00201-SOM~~

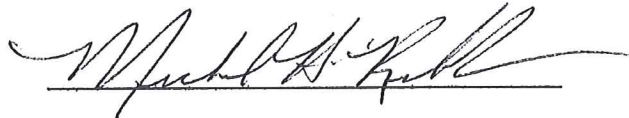
~~RLP~~

I, Michael H. Richards, am presently a customer of Navy Federal Credit Union, and I am the customer whose records are being requested by the Government.

The financial records sought by the Department of Defense are not relevant to the legitimate law enforcement inquiry stated in the Customer Notice that was sent/served to me and should not be disclosed, as the period requested is outside of the scope and dates of Active Duty whereby I am alleged to have fraudulently claimed and received [what I believe to have been authorized] Basic Allowance for Housing at the Dependant Rate. The records prior to my service and after my release from active duty bare no relevance or legitimate legal basis to the government's request or claim.

I declare under penalty of perjury that the foregoing is true and correct.

April 17, 2014



**United States of America
Department of Defense
Office of the Inspector General**

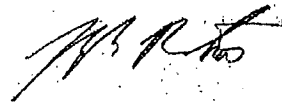
SUBPOENA DUCES TECUM

TO Custodian of Records, Navy Federal Credit Union, ATTN: Subpoena Department/Subpoena Processing, 820 Follin Lane, SE, Vienna, Virginia 22180

YOU ARE HEREBY COMMANDED TO APPEAR BEFORE Special Agent Brian Bozin or any Special Agent of the Naval Criminal Investigative Service (NCIS) acting on behalf of the Inspector General, pursuant to the Inspector General Act of 1978 (5 U.S.C. App. 3), at NCIS Field Office Hawaii, 449 South Avenue, Pearl Harbor, HI 96860 on the 31st day following the financial institution's receipt of this subpoena at 10 o'clock a.m. of that day.

You are hereby required to bring with you and produce at said time and place the following information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence pertaining to any and all Navy Federal Credit Union accounts, to include checking account number 1085020707, held solely or jointly by Michael Hairston Richards, Social Security number: XXX-XX-9171, a member of the United States Navy Reserve, who is suspected of violating one or more punitive Articles of the Uniform Code of Military Justice, for the period January 1, 2006 through the date of the subpoena, as specified in Appendix A, which are necessary in the performance of the responsibility of the Inspector General under the Inspector General Act.

IN TESTIMONY WHEREOF, the signature of the duly authorized representative of the Inspector General of the Department of Defense is affixed at Alexandria, Virginia.



Digitally signed by:
STONE.RANDOLPH.R.1259992415
DN: c=US, o=U.S. Government,
ou=DoD, ou=PKI, ou=DODIG,
cn=STONE.RANDOLPH.R.1259992415
Date: 2014.02.27 08:23:56 -05'00'

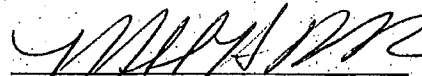
Randolph R. Stone
Deputy Inspector General for Policy and Oversight

UNIQUE IDENTIFICATION NUMBER: 2014133-12828

CERTIFICATE OF SERVICE

I have mailed or delivered a copy of this motion and the attached sworn statement to

Hawaii District Court on APRIL 17, 2014
(name of the office listed in item 2 of customer notice) (month, day) (year)


(your signature)